



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
May 09, 2012

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

NEVADA CANCER INSTITUTE, a Nevada
nonprofit corporation,¹

Debtor.

Case No. 2:11-bk-28676 (MKN)

Chapter 11

**ORDER APPROVING STIPULATION
RESOLVING OBJECTION TO
ADMINISTRATIVE EXPENSE ASSERTED IN
CLASS PROOF OF CLAIM FILED BY
SHAMINE POYNOR (CLASS NO. 148)**

Hearing Date: May 2, 2012
Hearing Time: 11:00 a.m.

¹ The Debtor's address and last four digits of its Federal Tax I.D. are: 10530 Discovery Drive, Las Vegas, NV 89135 [EIN XX-XXX2553].

On May 2, 2012, the Court held a hearing on the *Debtor's Objection to Administrative Expense Asserted in Class Proof of Claim Filed By Shamine Poynor [Claim No. 148]* (the "Objection")¹ [Docket No. 468] filed by Nevada Cancer Institute, a Nevada nonprofit corporation, debtor and debtor in possession in the above-captioned chapter 11 case (the "Debtor"). Appearances were as noted on the record of the hearing.

By the Objection, the Debtor objected to, and moved this Court for entry of an order disallowing the administrative expense asserted by Shamine Poynor for attorneys' fees, costs and disbursements in connection with the claims she has asserted on behalf of a certain class of individuals (the "WARN Class"). Ms. Poynor's class proof of claim was assigned claim number 148 by the Court-appointed claims agent. ("Claim No. 148").

On April 25, 2012, the Debtor filed and served the *Stipulation Resolving Objection To Administrative Expense Asserted In Class Proof Of Claim Filed By Shamine Poynor (Class No. 148)* (the "Stipulation") [See Docket Nos. 535-1 and 539], by which the parties resolved the Objection.

After considering the Objection, the Stipulation, all other pleadings and declarations filed in support thereof, and the record in this case, the Court finds that: (1) the relief to which the parties have stipulated in the Stipulation is in the best interests of the estate; (2) notice of the Objection and of the Stipulation was adequate and appropriate under the particular circumstances and no other notice need be given; and (3) other good and sufficient cause exists for granting the relief agreed to in the Stipulation.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Stipulation is APPROVED.
2. Without limiting the foregoing in any way, the WARN Class shall have an allowed administrative expense in this case under Bankruptcy Code section 503(b)(1) in the amount of \$3,000. This administrative expense shall constitute the only allowed administrative expense of

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Objection.

1 Ms. Poynor and the WARN Class in this case, and all other administrative expenses that have
2 been or may be asserted by Ms. Poynor and the WARN Class are hereby disallowed.

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5 Submitted by:

6 /s/ Martin R. Barash (*Admitted Pro Hac Vice*)

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